

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

UNITED STATES OF AMERICA,  
THE STATE OF TEXAS, and  
THE STATE OF CALIFORNIA,  
*ex rel.* SEYED AMIN MOTAGHEDI,

Plaintiffs,

V.

NATERA, INC.,

Defendant.

§ § § § § § § § § §

1:24-CV-1408

FILED UNDER SEAL

**NOTICE OF ELECTION TO DECLINE  
INTERVENTION AND MOTION TO UNSEAL**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the United States notifies the Court of its decision not to intervene in this action. Counsel for the State of Texas and the State of California have authorized undersigned counsel for the United States to inform the Court that the States have also decided not to intervene.

Although the United States, Texas, and California decline to intervene, we respectfully refer the Court to 31 U.S.C. § 3730(b)(1), which allows the Relator to maintain the action in the name of the United States; providing, however, that the “action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting.” *Id.*; see also Tex. Hum. Res. Code §§ 36.101(a), 36.102(e); Cal. Ins. Code § 1871.7(e)(1).<sup>1</sup> Therefore, the United States, California, and Texas request that, should either the Relator or the Defendant propose that this action be dismissed, settled, or otherwise discontinued, this Court solicit the written consent of the Government before ruling or granting its approval.

<sup>1</sup> These statutes permit the Relator to continue this action in the name of Texas and California, subject to similar limitations on dismissal.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States, Texas, and California request that all pleadings filed in this action be served upon them and that orders issued by the Court be sent to the Government's counsel. The United States, Texas, and California reserve their respective rights to order any deposition transcripts, to intervene in this action, for good cause, at a later date, and to seek the dismissal of the Relator's action or claim. The United States, California, and Texas also request that they be served with all notices of appeal.

Finally, the United States requests that the Relator's Complaint, this Notice, and the attached proposed Order be unsealed. The United States requests that all other papers on file in this action remain under seal because in discussing the content and extent of the Government's investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended. The United States requests the District Clerk make the docket in this action accessible to the public on the Court's CM/ECF system and/or PACER.

A proposed order accompanies this notice.

Dated: July 17, 2025

Respectfully submitted,

JUSTIN R. SIMMONS  
United States Attorney

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*Attorneys for the United States of America*

**CERTIFICATE OF SERVICE**

I certify that, on July 17, 2025, I caused the foregoing document, including the proposed order, to be served on Relator's counsel via email addressed to:

Mark Mueller  
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/s/ Thomas A. Parnham Jr.  
THOMAS A. PARNHAM JR.  
Assistant United States Attorney

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## ORDER

The United States having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), it is **HEREBY ORDERED** that:

1. the Complaint be unsealed and served upon the Defendant by the Relator;
2. all other contents of the Court's file in this action remain under seal and not be made public or served upon the Defendant, except for this Order and the Government's Notice of Election to Decline Intervention and Motion to Unseal, which the Relator will serve upon the Defendant only after service of the Complaint;
3. the seal be lifted as to all other matters occurring in this action after the date of this Order, and the docket be unsealed on the Court's CM/ECF system and PACER;
4. the parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3), and also upon the States of Texas and California;
5. the United States, Texas, and California may order any deposition transcripts and is entitled to intervene in this action, for good cause, at any time;

6. the parties shall serve all notices of appeal upon the United States, Texas, and California;

7. all orders of this Court shall be sent to the United States, Texas, and California; and

8. should the Relator or the Defendant propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States, Texas, and California before ruling or granting its approval.

**SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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UNITED STATES DISTRICT JUDGE